

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEVEN BROOKS, :	:	
<i>Petitioner,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
LAWRENCE MAHALLEY et al.,	:	No. 16-2013
<i>Respondents.</i>	:	

ORDER

AND NOW, this 16th day of August, 2019, upon consideration of the Petition for Writ of *Habeas Corpus* (Doc. No. 1), the Respondents' Response (Doc. No. 15), Petitioner's Objections to the Response (Doc. No. 16), the Report and Recommendation of Magistrate Judge David R. Strawbridge (Doc. No. 18), and Petitioner's Objections (Doc. No. 23) it is hereby ordered that:

1. The Report & Recommendation (Doc. No. 18) is **APPROVED** and **ADOPTED**.
2. Petitioner's Objections (Doc. No. 23) are **OVERRULED**.
3. The Petition for Writ of *Habeas Corpus* (Doc. No. 1) is **DENIED**.
4. There is no probable cause to issue a certificate of appealability.¹
6. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). The Court agrees with Magistrate Judge Strawbridge that there is no probable cause to issue such a certificate in this action.